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Atari Online News, Etc.
A-ONE Online Magazine
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->From the Editor's Keyboard "Saying it like it is!"
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Well, the weather has been better lately, teetering on seasonal. That's a good sign as far as I'm concerned. Flowers are coming up, the grass is growing, and the pollen counts are rising - sure signs of Spring! It's a nice feeling to see nature's version of revitalization. Already my barbecue has been getting a workout; all's well in the world!

Speaking of revitalized or re-births, by now many of you have probably heard the news that the Atari name has just been adopted by Infogrames as their new company name (see the article elsewhere in this issue). Even before the announcement was official, speculation of a "re-birth" of Atari began in the newsgroups and various Atari fan-site message boards.

Folks, I've been a long-time supporter of Atari, in its various incarnations. Want proof? Look at our masthead above! My enthusiasm started with the 2600 console; my "activism" started with the 520ST in 1987. It was already too late for Atari before their last gasp efforts with the Falcon. Looking to return to its gaming roots failed with the Jaguar. Atari died a long time ago even though its fans continue to support the various Atari platforms.

But since those years, every time some event occurs regarding the Atari name, there are people who pop up and start talking about how these events will lead to the rebirth of Atari. When JTS Corp. merged with/bought Atari, the speculation started. Nothing happened. When Hasbro Interactive bought the rights to the Atari name, the speculation began anew. Nothing happened. When Infogrames bought the rights to Atari, more speculation. And now Infogrames - a company who has not been doing that well these days - has decided that perhaps by changing their name to Atari Inc., their luck will change. Perhaps. But if anyone is seriously thinking that Atari, the game company; or Atari the computer maker, will once again become a player in today's world of computing or gaming - you need your head examined immediately! It ain't gonna happen!

Infogrames understands the history of the Atari name. Atari, in its heyday, was synonymous with gaming. There is no argument there. You might be able to debate the same for computing - at least for a short time. Even today, some 25 years after the release of the 2600, people still remember the catch phrase: "Have you played Atari today?" And you know what? The phrase is still used today. That's what Infogrames is counting on, and why they chose the name change. Nothing more. Infogrames/Atari is a game publisher with no illusions of grandeur to become a game console or computer company. If

you want to be able to buy computer or console games again with the name Atari printed on the package, you'll be in luck. Will those titles run on your ancient Atari machines? No. Atari is dead. It has earned its place in the history books, but the history will never be re-written. Sorry to be the one to tell you the bad news.

Until next time...

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Egale Now Freeware!

Egale, the file comparison program, which used to be Shareware is now Freeware, using a public registration key. The latest (and last) version, 4.1, adds long filename support and has several other improvements. Registration keys from previous versions, or their EGALE.INF files, will continue to work with egale 4.1. However, as the author has now left the Atari platform, support and updates are no longer available.

Egale uses an enhanced GEM interface, runs on ST, TT and Falcon030 computers at all screen resolutions from 640x200 pixels (ST medium) upwards and supports multitasking systems.

A new, full English bundle, prepared by xlator of DDP Translations, is now available from author David Reitter's webpage:

www.reitter-it-media.de

This includes full updated documentation both in text and hypertext formats (for ST-Guide).

For those who don't know the program, Øgale can compare two text or binary files side by side (to allow changes and additions to be seen easily) and if desired align them manually or automatically. It can be used as a binary editor as well.

Øgale also has a file tree check function for comparing complete directories and sub-directories or even partitions (useful for checking if a copy or backup is intact), and a file tree generator to produce directory listings (including folders and optionally show various file data); the results are written to a log file.

Furthermore Egale can be used to generate patch programs for updating binaries and other files that have been corrected, translated or updated; if the changes only form a small part of he file, downloading a patch is far faster than downloading the complete program.

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PEOPLE ARE TALKING
compiled by Joe Mirando

joe@atarinews.org

Hidi ho friends and neighbors. Yet another week has come and gone. While things this week don't seem much different than they were last week, I can't help feeling that things ARE different somehow.

It's not like there has been some watershed event that changed things forever... more like a realization that small changes happen all the time, and that those small changes are what really matter.

Well, my intro is going to be short this week because I really haven't got much to say. It's been a tough week for me on my 'day job' and now that it's almost done, I have to wonder what I've really accomplished. Sure, there are things that I did actually get done, but none of those things really seem to matter in the 'big picture'. But since I've always been of the opinion that its not the big things, but all the little things grouped together that are important, I guess I can take some comfort in the fact that I did get some things accomplished.

Well, let's get on with the news and stuff...

From the comp.sys.atari.st NewsGroup

Martin Tarenskeen posts this about the Adamas browser:

"Some of you may not have noticed, but the Adamas browser is still being developed, quite actively lately, and is freely downloadable these days.

Adamas has been criticized a lot in the past in this newsgroup, but Jens Heitman deserves our support for not giving up on this browser. While CAB's development has stopped, and Highwire still has the "very promising" status, Adamas latest pre-release versions show several improvements. I have been trying it with MiNTnet/mgw and it works pretty good. For javascript support it's still without competition on the Atari platform, even if it's not perfect.

Have a look at http://draconis.atari.org."

Mark Duckworth tells Martin:

"The installer usually doesn't work for me, however this time it did. I tried under aranym. the Gethostbyname isn't working so the browser won't load for instance www.google.com. I can however point it to an IP but then it freezes on loading images. The basics aren't done. Course i was using mgw-024c which was meant for MiNT 1.15, I actually have 1.16 alpha but 031b won't work for me at all. Seems like a great idea, but how come I can't get it to work on a variety of platforms and situations?"

Martin tells Mark:

"Jens has recently installed Aranym, and will also use this for testing. Things will improve. And he doesn't mind getting bug reports. He has responded on my bug reports quite quickly with new releases.

Jens is aware of that (the problem with 031b) but hasn't found the problem yet. The sources are available (Freemint CVS) so if there is

anyone who know how to fix the newer mgw, he will be welcomed.

My point is: anyone who is willing to put a lot of time and effort in creating a better and free browser for the Atari platform deserves our support. Highwire or Adamas: a little competition won't hurt."

Mike Freeman asks about ZIPping with long file names:

"I designed a web site for our church group, using my Falcon, and our church's network guy asked me to put it in a zip file and e-mail it to him to upload onto the church's web site. However, when I tried to use ST Zip to do it, it couldn't read the long filenames, and consequently, the zipped files used 8+3 format. This kind of destroys my links, and I would have to go through and either explain how to rename the files (and hope he gets it all correct) or switch all my links to 8+3 (which I really don't want to do). Is there a way to get ST Zip (version 2.6) to accept long filenames, or is there a newer version I should be using? Or is that yet another area where we are still stuck in the dark ages? Your help would be appreciated!"

Greg Goodwin tells Mike:

"STZip has several weaknesses, the inability to deal with long filenames among them. (That said, I still use it.) You might try Info-Zip 2.3 (http://www.info-zip.org/pub/infozip/Zip.html), perhaps with a shell. If it works well, kindly email back to this discussion, since I've never tried it."

Djordje Vukovic adds:

"A serious weakness is the inability to have more than a limited number of files in the root directory of the archive (don't remember the exact number but it is something between 100 and 200- not a large number at all!) If there are more files in in the root directory, STZip creates (without warning) a corrupted archive.

Infozip's zip/unzip package works well, and have some very useful functions, such as the option to repair (as much as possible) a corrupted .zip archive. However, it has some bugs too- at least the single-TOS version of unzip has problems in putting the listing of archive contents on the screen I suspect an incorrect line ending (not <CR><LF>) was coded.

By the way. there is a port of infozip pack which works in single-TOS and there is also another port (of the same version) which *requires* mint."

David Bolt adds this interesting tidbit:

"If you're using MiNT, or Magic and have added a MiNT cookie to the cookie jar, STZIP will handle long filenames. Otherwise it will only produce archives with the names in 8+3 format."

Mike asks David:

"I use Magic. How do I add a MiNT cookie to Magic's cookie jar?"

David replies:

"I ended up writing a small program that added an extended cookie jar

and added the fake MiNT cookie at the end. There's a copy of it, and the assembler source, at:

<URL:http://www.my-ste.demon.co.uk/files/fakemint.zip>

There's no docs with it since it was a quick-and-dirty "give me long filenames" hack. IIRC it works with STZIP and LZHSHELL."

Grzegorz Pawlik adds:

"You can add this cookie by using FakeMint.prg utility that I have just sent you.

But if you just want to make ZIP archives with long filenames, you don't need to have anything to do with MiNT [;-)] It's enough to use Jinnee's zip plug-in. Select the group of files, click with a right mouse button, choose Plug-ins -> Create ZIP archive and you will get a ZIPped file with long file names. At least this is the way it works for me."

Dave Burns asks a question that comes up every so-often about high density disks in a double density drive:

"Will a high density disk, formatted in an atari double density double sided drive be stable? I can understand how formatting a double density disk to high density would be bad but.... ?"

Greg Goodwin tells Dave:

"No, but your mileage may vary. DD disks are still available. Try Viking Direct."

'Damon1281' asks a really interesting question about a modern monitor for his Falcon:

"I was considering the purchase of an LCD monitor for my Falcon. Does anyone have any "do's or don'ts" they can share on this subject? Any help is greatly appreciated."

Kenneth Medin tells Damon:

"I use a 15' 1024*768 Samsung LCD with my TT and a ET4000 card. Works great and is really superior to a CRT.

But this is only true at just 1024*768, any other resolutions are terrible. This monitor is also more sensible to errors in the signal compared to my CRT. It needs more precise values to sync.

I also have it running at 800*600 and 640*480 and the important 640*400 for booting. All these at 60 Hz.

So, note that LCD monitors only works really well in the optimal resolution. On the other hand you get a perfect flicker-free screen at 60 Hz which a Falcon might benefit from."

Greg Goodwin tells Kenneth:

"I'm not sure I agree with the superior part. I still think a $400 CRT will beat a $400 LCD.

That said, LCD monitors are a tad more finicky about syncing (IMHO), so I'd be reluctant to buy one unless the place had a real good return policy!"

Derryck Croker adds his thoughts:

"Make sure that you can match scan rates and resolution to that which the LCD will accept. I couldn't get anything but 640*480 to work with the one that I tried, bought for another computer system."

Martin Tarenskeen adds:

"My Falcon030/CT2b is connected to a 15" iiyama AX3817UT DBK monitor. I can use all standard Falcon 640*480 and ST 640*400 modes. But the only extended resolution that my CT2b+Centscreen offers and that works on this monitor is 640*480*TC. 800*600 or 1024*768 are refused [:-(]

Only for 640*480*TC I have to change the "clock" setting on my monitor from a value of 50 (factory setting) to 43 to get a perfect image."

Well folks, that's all for this week. Tune in again next week, same time, same station, and be ready to listen to what they are saying when...

PEOPLE ARE TALKING

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->In This Week's Gaming Section - Infogrames Is Now Atari!
  """"""""""""""""""""""""""""""" Sega, Sammy Merger Dead!
  New Pricing for Xbox Live!
  And much more!

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->A-ONE's Game Console Industry News - The Latest Gaming News!
  """""""""""""""""""""""""""""""""""""

Infogrames Changes Name to Atari

Franco-American video game publisher Infogrames Inc., reaching back into gaming history, said on Wednesday it would change its name to Atari Inc. in an effort to boost its profile with consumers.

To mark the new Atari and the new ticker symbol 'ATAR', Chief Executive Bruno Bonnell opened the Nasdaq on Wednesday. The newly named shares soared, up more than 26 percent at $6.50 at the close of trading after having climbed as high as $7.02.

The Atari name is the most storied in video gaming, dating back to the early 1970s when Nolan Bushnell and a team of engineers at Atari created "Pong," the arcade video game that was so popular that machines sometimes jammed because they were overflowing with quarters.

"What we have decided to do, following a very precise strategy, effectively is to adopt this brand Atari," Bonnell told Reuters. "Clearly we feel like it is the symbol of the global company that we became during the last two years."

Over the years, Atari went through many incarnations. At one point it operated as a subsidiary of what was then called Warner Communications and is now part of AOL Time Warner.

It ceased to be a stand-alone company in 1996, when it was acquired by JTS Corp. In early 1998 JTS sold the Atari rights and assets to toymaker Hasbro Inc.

Infogrames, founded in France in 1983, acquired the rights to the Atari brand in early 2001 when it bought Hasbro Interactive. In October 2001 the company relaunched the brand and began using it as a games publishing label.

Although its origins are French, Bonnell said 65 percent of the company's business is in the United States. Last year the company cut 60 percent of its French work force, and Bonnell said he is dividing time evenly between the two sides.

In the interim, Bonnell said, the parent company shares trading on the French bourse will continue to be known as Infogrames Entertainment SA because the process for changing the company's name there will take longer.

Infogrames/Atari shares have been on a run of late, rising nearly 220 percent on the Nasdaq since April 18, when the company said it had completed work on "Enter the Matrix," the hotly anticipated video game companion to the forthcoming Warner Bros. film "The Matrix Reloaded."

Both the game and the movie will be released May 15. Bonnell has in past said he expects the game could be an international mega-hit, selling millions of units.

On Tuesday, Infogrames said it plans to ship 4 million units of the game, across the various gaming platforms, to retailers worldwide. The success of the game is widely seen as the key to the company meeting its sales forecasts.

Sega, Sammy Scrap Merger Plan; Namco Pulls Out

Struggling Japanese videogame maker Sega Corp. suffered a major setback in its search for a partner on Thursday after it scrapped a merger plan with game machine maker Sammy Corp and peer Namco Ltd withdrew its merger offer.

The moves, for which analysts blame waffling by Sega's management, darken the outlook for the industry's old-timer and narrow its survival options.

'The credibility of Sega's current management has taken a deadly blow,' said Takeshi Tajima, analyst at BNP Paribas. 'Institutional investors and

most long-term retail investors have long avoided Sega's shares, but the recent wavering by the company's management has done extra damage.' Management at Sega, creator of 'Sonic the Hedgehog', has a record of disappointing investors. The company scrapped a planned merger with toy maker Bandai Co in the late 1990s and has repeatedly missed earnings targets.

Tokyo-based Sega and Sammy, a maker of pinball-style 'pachinko' game machines, said they had scrapped their merger plans, announced in February, after failing to agree on terms.

'We and Sammy could not agree on what management style the merged firm should take and other merger conditions,' Sega President Hideki Sato told a news conference.

He said Sega would continue merger talks with Namco, creator of the popular 'Tekken' fighting videogames, but Namco said later it was withdrawing its mid-April proposal for merger talks with Sega, dealing it another blow.

'Sega told us on Thursday that it was not in a situation to give a specific answer to the proposal. And we decided that it is not the right time to proceed with the merger discussions,' Namco said in a statement.

Sega's Sato hinted that other companies besides Namco had contacted Sega on doing a deal, although he declined to provide details.

He also would not comment on speculation that Sega was in talks on an alliance with Electronic Arts Inc, the biggest U.S. videogame publisher.

Analysts said Sega's management needed to focus on its turnaround plan for its consumer game software operations and that it would not be wise to keep wavering.

'The worst thing for Sega is to stay uncertain. Sega is not facing any imminent financial risk now and management should just decide what they should do to maintain employees' trust,' said Shunji Yamashina, analyst at Morgan Stanley.

The announcement on the scuttled merger talks was accompanied by an upward revision in Sega's annual earnings estimates.

Sega now expects a net profit of three billion yen ($25.8 million) for the year ended March 31, up 500 percent from its initial estimate of 500 million.

It cited stronger-than-expected arcade game sales and solid game software sales in Japan and the United States.

Sega's shares fell 4.66 percent to 675 yen while Sammy's stock jumped 4.28 percent to 2,560 yen.

'Investors are worried that Sega may not be able to survive on its own unless it can tie up or merge with another firm,' said Koichi Kawata, deputy head of equities at SMBC Friend Securities.

With the break-up of the Sega-Sammy merger plan, investors cast a wary eye on Namco, whose shares lost 2.73 percent to close at 1,748 yen - but that was before the company announced the withdrawal of its merger offer.

Microsoft Introduces New Pricing for Xbox Live

Microsoft Corp on Thursday introduced a more flexible pricing plan for its Xbox Live online video game service, including a planned free trial period, and raised the price on the basic starter kit.

The news was one of the first major announcements to come out ahead of next week’s Electronic Entertainment Expo, or E3, the games industry’s main trade show in Los Angeles.

Microsoft, which is expected to roll out a number of new audio and video services related to Xbox Live at E3, said subscribers will have the option of a $5.99 monthly fee in North America as of this fall.

A one-year renewal or new subscription will be $49.99, while the Starter Kit, which includes a year’s subscription, a headset for voice communications and some bundled games, will sell for $69.99, a $20 price hike.

Microsoft also said a two-month free trial for the service will be ’widely available’ this fall.

Xbox Live was launched in North America last November, allowing Xbox users to compete against each other with the console’s built-in Ethernet port and the voice headset.

The company boasts hundreds of thousands of subscribers, all of whom got one year of service with their starter kits, meaning the earliest subscribers still have six months left on their accounts.

Microsoft also said it would begin to make the voice headset available as a stand-alone item for $29.99.

Microsoft’s main competitor in the console business is Sony Corp., which dominates the international market with its PlayStation 2 console. The company released an add-on networking adapter for the PS2 in North America last August.

Microsoft bills centrally for the Xbox Live service and operates the network for all compatible games. Sony, by contrast, has left billing and server management to the publishers of individual game titles.

Sony U.S. Games Head ’Comfortable’ With PS2 Price

The U.S. video game arm of Japanese conglomerate Sony Corp. is "very comfortable" with the price of its market-leading PlayStation 2 video game console despite rampant speculation that a price cut is imminent, its president said on Tuesday.

In a telephone interview with Reuters, Kaz Hirai, the president of Sony Computer Entertainment of America, said he also suspected that moves by competitors to bundle games in with their consoles were not really helping sales.

"We are very comfortable at the $199 price point," Hirai said. "The numbers

are very healthy for the PS2 at the $199 price point."

Hirai's comments came just days before the start of E3, the video game industry's annual trade show, which kicks off next week in Los Angeles.

At E3 last year, Sony and competitors Microsoft Corp. and Nintendo Co. Ltd. all cut their hardware prices. Sony and Microsoft took the PS2 and Xbox, respectively, to $199 from $299, while Nintendo took its GameCube to $149 from $199.

Because price cuts occurred last year at E3 and resulted in a significant sales bump, industry executives had been counting on another wave of price drops at this year's show.

"My hope is that we'll get some significant price cuts (at E3)," Jeff Lapin, the chief executive of leading publisher Take-Two Interactive Software Inc., told Reuters last week, though he also conceded, "If I'm Sony, I'd never want to cut the price."

Brian Farrell, the chief executive of games publisher THQ Inc., told Reuters recently that the pricing of the PS2 does not matter so much as Sony's meeting its unit shipment targets for the fiscal year to maintain its dominant position in the installed user base.

"Whether Sony gets it at $199, $179 or $149, we're indifferent," he said. "All we need is that 10.5 million units."

EA Announces Plans for The Sims Bustin' Out on All Current-Generation Console Systems

Electronic Arts announced that The Sims - Bustin' Out is in development for the PlayStation2 computer entertainment system, the Xbox video game system from Microsoft, and the Nintendo GameCube. The Sims is making a big return to consoles with The Sims Bustin' Out. For the first time, Sims console players will have the ability to get their Sims out of the house and into all-new locations to play, work, and meet a cast of outrageous new characters. The Sims Bustin' Out PlayStation 2 console version will be unveiled to industry insiders on May 13th at the Electronic Entertainment Exposition in Los Angeles. The game is scheduled to be released simultaneously on all current- generation console platforms in early 2004.

"We're giving our fans what they've been asking for, the excitement of getting out of the house to explore new locations, meet wild new characters, and experience new storylines," said Sinjin Bain, Vice President and Executive Producer of the game at EA's Maxis- studio. "The Sims Bustin' Out has ten times more replay value than the first Sims console game."

The Sims Bustin' Out features an all-new neighborhood with over a dozen new unlockable locations and a cast of over 40 new zany characters to socialize with. Players will purchase a car or scooter in order to get out of the house and head to the Gym to work out with exercise fanatic Goldie Toane or to Club Rubb to rave with club owner Bing Bling. Players will be able to crash parties, create havoc, or just drive their neighbors crazy!

Sims console players will be able to unlock and collect 80 new social moves like "Towel Snap" and "Moonwalk Dancing" that will add to the distinct

character of a Sim. Players can unlock hundreds of new objects such as a Climbing Wall and a High Dive to test their skills outside the house.

Players can choose from ten new careers including Mobster, Athlete, Mad Scientist, and Fashion Victim. Depending on what career track you choose there are now a variety of different ways to win the game. Players will have the ability to go back and forth through different careers and levels to unlock objects and locations. Players can play with or against friends in two-player mode, which is available throughout the entire game. The Sims Bustin' Out also features level-based gameplay.

Like never before, Sims characters on the console will have distinct and noticeable personality that will affect gameplay. For example, a shy Sim will do a timid dance at the dance club, but an outgoing Sim will be rocking around the dance floor, showing off their moves.

The new controller-base game interface makes manipulating the Sims through the triumphs and tribulations of their daily lives both easy and amusing. All console versions will have memory card support so players can take their Sims over to a friend's house.

Ex-Palm Officials Offer Portable Video Game System

A company started by former senior executives from handheld computer maker Palm Inc. on Monday unveiled a handheld product code-named "Helix" that combines video gaming, music and the organizer from the Palm operating system.

The company, named Tapwave, was founded two years ago by former Palm vice president of worldwide product development Peng Lim and vice president of product management Byron Connell.

It plans to enter a marketplace - portable video gaming - that in the last few months has ballooned.

Lim serves as president and chief executive of Tapwave, while Connell is senior vice president of marketing. Other top executives are Marian Cauwet, the vice president of engineering who held the same role at Palm; and sales head David Wenning, also a Palm veteran.

Pricing and availability details for the Helix have not yet been made public, but what is known is that the company boasts a high-profile lineup of hardware and software partners.

Among the hardware companies contributing products and engineering to Helix are ATI Technologies Inc., Sony Corp., Motorola Inc. and Yamaha Corp.

Games publishers who have already agreed to license some of their top titles for the platform include Activision Inc., Infogrames Inc.and Midway Games Inc.

The company has also licensed the PalmOS operating system from Palm subsidiary PalmSource and game development tools from Fathammer.

Market research firms have pegged total video game hardware and software sales at $10.4 billion in 2002 in the United States alone, and global hardware and software sales in 2003 are expected to top $30 billion.

"Nobody was addressing the need of the more sophisticated gamer in a mobile sense," Connell told Reuters recently.

Connell and Lim said the target audience for the Helix consists of people 18 years to 34 years old who have largely "graduated" from Nintendo Co. Ltd.’s Game Boy Advance portable gaming unit.

The Game Boy platform has had a stranglehold on the portable gaming market for well over a decade, handily defeating any and all comers, including long-gone devices with names like GameGear, TurboDuo and Lynx.

But the portable market has become increasingly crowded again. Nintendo is selling two Game Boys, the Advance and the Advance SP, and Finnish cell phone maker Nokia is preparing to launch a cell phone and game deck combination device called the N-Gage.

The Tapwave executives hope to compete with those two units on the basis of superior technology.

The Helix boasts twice the color palate of the Game Boy and nearly 16 times that of the N-Gage. It offers a screen resolution well sharper than either one and a much larger screen size.

Connell said the device will play full-motion video in a number of formats, as well as music in the MP3 format. It will also ship with a photo viewer and all the productivity applications that are part of the Palm OS.

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A-ONE’s Headline News
The Latest in Computer Technology News
Compiled by: Dana P. Jacobson

States Urge Tougher Microsoft Penalties

Two states that refused to settle the Microsoft Corp. antitrust case sought tougher penalties Monday, arguing that a deal negotiated with the Bush administration was inadequate to constrain the software company.

Massachusetts and West Virginia urged a federal appeals court to instruct the trial judge to impose tougher sanctions than those included in a settlement the judge approved among Microsoft, the Justice Department and 17 other states.

In a case that began nearly a decade ago, lawyers for the states said the settlement was profoundly flawed and "does not fulfill even the most basic mission of stopping all of the practices" committed by Microsoft. Courtroom arguments before the appellate judges were to begin in November.

"The district court’s remedy will not restore competition, deny Microsoft the fruits of its illegal conduct or otherwise satisfy this (appeals) court’s remedial objectives," the states wrote.

Microsoft noted that its legal filings were due next month.

"The district court thoroughly reviewed these issues last year and issued comprehensive rulings that represent a fair resolution of this case," spokesman Jim Desler said. "These rulings have been agreed to by the Department of Justice , virtually all the states that filed suit against Microsoft and only two states and a couple of competitor groups are pressing forward."

The long-running court battle - the most significant antitrust case in a generation - culminated last November when U.S. District Judge Colleen Kollar-Kotelly accepted nearly all the settlement provisions. She rebuffed arguments by nine states and the District of Columbia that tougher sanctions were essential to restore competition in the computer industry.

All the states except Massachusetts and West Virginia eventually joined in the settlement, which gives Microsoft rivals more flexibility to offer competing software features on computers running its flagship Windows operating system.

"Microsoft has been found guilty of predatory practices yet allowed to continue to crush innovation, competition and consumer choice in the computer software industry. This conduct harms consumers and companies all over the country," the Massachusetts attorney general, Tom Reilly, said in a statement Monday.

The two holdout states are carrying their fight to a U.S. appeals court that has handed Microsoft considerable victories. It overturned another judge’s order that Microsoft remove its Web browser software from Windows, and it threw out two of the government’s three antitrust claims against the software company. It also blocked a court-ordered breakup of Microsoft.

But the same appeals court also affirmed in June 2001 that Microsoft repeatedly, ruthlessly and illegally used its dominance in the software industry to protect its Windows monopoly from competition. And it has already indicated that the entire court will rule on this latest fight, rather than the traditional panel of three judges.

The appeals court also has indicated previously that it recognizes the importance of moving quickly in an antitrust case tied so closely to fast-moving technology.

"Six years seems like an eternity in the computer industry," the court said in its last antitrust ruling on Microsoft - nearly two years ago.

Court Dismisses Libel Claim Against EBay

A California court has dismissed a libel claim against eBay Inc. by a shopper who was criticized by a merchant on the auction site - a key ruling that further limits eBay’s responsibility for the actions of its users.

Judge Thomas L. Willhite Jr. of the Superior Court of California in Los Angeles last week granted the company’s request to dismiss the libel claim by Roger M. Grace, who bought merchandise via eBay’s Web site.

Grace received negative "feedback" - a form of commentary that eBay buyers

and sellers leave regarding each other after transactions - from Tim Neeley who sells Hollywood memorabilia on the site.

According to the court ruling, Neeley wrote that Grace "should be banned from eBay" and was "dishonest all the way" following Grace's purchase of several items from Neeley.

Grace sued eBay for liable for publishing Neeley's negative comments on its Web site. But the court ruled that eBay is immune to such claims under the Telecommunications Act of 1996, which protects providers of "interactive computer services" from liability for the online comments posted by their users.

"We think it's an important ruling because it affirms the principle that eBay is not responsible for the content of third parties," said Jay Monahan, eBay's general counsel.

Grace also alleged in his complaint that eBay allowed California buyers to make purchases without collecting sales tax and that it violated state fictitious name registration laws. The court granted eBay's request to dismiss both claims.

Grace, the editor-in-chief and general counsel for a Los Angeles company that publishes legal newspapers, said called the ruling "wrong."

"I don't think there's any basis to read the statute the way the court did," he said.

Neeley couldn't be reached for comment.

California Moves Closer to Taxing More Internet Sales

The California Senate passed a measure on Thursday that would force some out-of-state businesses, such as the No. 1 personal computer maker Dell Inc., to collect tax on sales made on the Internet to residents of the nation's most populous state.

The amendment to the state's tax code, which passed on a 23-4 vote, would require out-of-state companies that hire local firms to install or service products such as computers to collect sales tax.

Passage of the bill, which now heads to the Assembly, comes as state lawmakers attempt to plug a $35 billion budget gap over the next 15 months.

The new tax rules could increase costs for firms such as Texas-based Dell, the top direct seller of computers, which until now has not had to collect taxes for sales to California.

By contrast, Dell's top competitor, Hewlett-Packard Co., which is based in Palo Alto, California, does have to collect state sales tax. The tax levy can add more than $100 to the price of a more advanced computer, a provision of the current tax code critics say penalizes California companies.

Combined state and local sales taxes in California are among the highest in the nation and range from 7.25 percent to 8.5 percent. State officials are now considering a possible 0.5 percent hike in the state sales tax to help

cover a growing budget deficit.

The bill also toughens standards against firms which have Internet subsidiaries that are linked to stores in California. It defines such retailers as those with ’a substantial ownership interest, directly or through a subsidiary, in a retailer maintaining sales locations in California.’

Senate legislative aides say such language could apply to companies such as barnesandnoble.com, which is partially owned by the book store chain Barnes & Noble Inc, which has stores across California.

California tax authorities are auditing barnesandnoble.com to determine whether the retailer improperly avoided collecting as much as $1.1 million in state sales tax on Internet sales.

The new tax rules, if adopted by the state assembly and signed by the governor, would not affect retailers without a physical presence in California, such as Amazon.com.

Gov. Gray Davis vetoed a similar change in the tax rules three years ago but said at the time that he was willing to reconsider the issue in the future.

Apple Releases New eMacs

Apple Computer Inc. on Tuesday announced the release of a new family of eMac all-in-one desktop systems.

"This has great appeal to a value conscious customer who is looking for a complete system," Greg Joswiak, Apple’s vice president of Hardware Product Marketing, told MacCentral.

The new eMacs offer up to a 1GHz PowerPC G4 processor, a faster 4x SuperDrive, high performance ATI Radeon 7500 graphics, up to 80GB hard drives and internal support for AirPort Extreme wireless networking. The eMac also has a 17-inch flat CRT display.

With the increased power of the graphics card in the eMac, Apple hopes to appeal to consumers of all types including the gamers, who typically require much more power in their graphics than average users.

"We think graphics are important to customers," said Joswiak. "Often times they are surprised when they get a low-cost PC home and find out it’s not a very good game machine. Things like 3D gaming are important to the consumer and we want to offer a great experience to them which means offering dedicated video controllers and dedicated video memory."

After announcing in September 2002 that all Macs made in 2003 would only boot into Mac OS X, Apple announced in mid-December 2002 that certain Macs would continue to boot into Mac OS 9 until June 2003. Two of the new eMac models - the low-end and mid-range - will boot into Mac OS 9 or Mac OS X.

"The high-end model boots only into Mac OS X because of the SuperDrive and iDVD 3 is a Mac OS X-only application," said Joswiak. "We think this model really appeals to the customer who has already made the switch to Mac OS X."

The new eMac family is available in the following configurations:

The 17-inch flat CRT eMac, for a suggested retail price of US$799 includes:

* 800 MHz PowerPC G4 processor;
* CD-ROM optical drive;
* ATI Radeon 7500 with 32MB video memory;
* 128MB of system memory; and
* 40GB ATA hard drive.

The 17-inch flat CRT eMac, for a suggested retail price of $999 includes:

* 1 GHz PowerPC G4 processor;
* 32x Combo DVD-ROM/CD-RW optical drive;
* ATI Radeon 7500 with 32MB video memory;
* 128MB of system memory; and
* 60GB ATA hard drive.

The 17-inch flat CRT eMac, for a suggested retail price of $1,299 includes:

* 1 GHz PowerPC G4 processor;
* 4x SuperDrive DVD-R/CD-RW optical drive;
* ATI Radeon 7500 with 32MB video memory;
* 256MB of system memory; and
* 80GB ATA hard drive.

"The eMac has been a hit with both education customers and consumers, and we've made it more powerful and affordable than ever," said Greg Joswiak, Apple's vice president of Hardware Product Marketing. "The eMac offers customers a complete system that is the ideal entry point for today's digital lifestyle."

AMD Prepares to Ship Athlon XP 3200+

Advanced Micro Devices is readying a new desktop processor that could see the light of day as early as Friday as the chip maker tries to capture the PC performance crown.

The company will increase the performance of its existing processor core before introducing a brand-new 64-bit processor later this year. AMD's Athlon XP 3200+ with a 400-MHz frontside bus could make an appearance Friday, but will more likely be introduced next week, according to distributors.

The processor will be AMD's first product to support a 400-MHz frontside bus. It is the third desktop chip released with AMD's Barton core, which increased the amount of cache available in the previous Thoroughbred core.

The Athlon XP 3200+ is available for preorder from several distributors. One distributor suggests the chip will ship Friday, while others expect a release in the middle of next week.

An AMD spokesperson declined to comment on unannounced products.

AMD cut the price of its current performance leader, the Athlon XP 3000+, on April 22 from $588 to $325. Chip companies generally cut prices of their most expensive chips prior to the launch of a new processor.

Intel is also preparing a new desktop processor and chip set technology. The 3.2-GHz Pentium 4 will be Intel's second chip to feature the 800-MHz frontside bus. The first was briefly delayed due to an unspecified issue, but shipments of the 3-GHz Pentium 4 have resumed.

The 3.2-GHz Pentium 4 will also support Intel's hyperthreading technology, which makes a single processor look like two processors to the operating system, increasing the amount of instructions the OS sends to the chip. Those extra instructions can be processed by unused execution units in a processor. Intel is expected to bring hyperthreading down to slower chips in the Pentium 4 product line.

Both new processors require new motherboards and chip sets to support the increased frontside bus speeds. The frontside bus connects the CPU with the main memory, and increasing the speed at which data travels down that main pathway increases the overall performance of the chip.

Several AMD-affiliated chip set and motherboard vendors have already announced products that support a 400-MHz frontside bus, and Intel is expected to announce its Springdale chip set on or around the date of the 3.2-GHz Pentium 4 launch.

Springdale will be the second Intel chip set to support an 800-MHz frontside bus. The chip giant released the Canterwood chip set in April.

The new chips will tide over the enthusiast market for the latest and greatest processors until a pair of scheduled launches this fall. Intel will release Prescott, its first chip based on 90-nanometer process technology, in the second half of this year.

AMD's counterpart to the 64-bit Opteron, the Athlon64, is expected to launch in September.

Microsoft Windows 'Longhorn' Version Due In 2005

Microsoft is gearing up for the next major release of Windows, code-named Longhorn, and doesn't plan an interim release before that product launch, which is slated for 2005, said Will Poole, senior vice president of Microsoft's Windows Client Division.

Speaking to several hundred developers here Wednesday at the Windows Hardware Engineering Conference (WinHEC), Poole urged them to get behind Longhorn. "The weight of the company and the weight of all the people in the Windows Client Division and across the Platforms Division is around Longhorn," he said. "We'd love to get you all pulling the same way so we can come out with a huge wave of excitement for the industry when Longhorn ships in 2005."

Microsoft is betting the company on Longhorn, Poole said, adding that the product will "change the landscape" in terms of how businesses and consumers use PCs. Still, the road to Longhorn is "not super short," he noted. "We've got some work to do."

Microsoft conducted a Longhorn developer preview in March. The next Longhorn development milestone will be in October at the Microsoft Professional Developers Conference, where the company expects to provide new details on Longhorn, Poole said. Microsoft plans several beta releases of Longhorn in 2004, he said.

Some developers here said they're skeptical that Microsoft will be able to meet the 2005 timetable. One software engineer for a California company, who requested anonymity, said that if Microsoft is predicting a 2005 release, it's likely that the product launch could be as far off as 2007. There is "a high probability" that the 2005 date will slip based on Microsoft's past software development track record, he said. Other developers here said that porting to Longhorn could be a challenge, in part because of the operating system's 3-D capabilities.

Before Longhorn, Microsoft will have updates to Tablet PC and XP Media Center, Poole said. Also at WinHEC, Microsoft detailed a Windows Server 2003 update road map--slated to include an iSCSI initiator, a key piece of the vendor's storage virtualization effort. The iSCSI initiator is due out in June. The company also unveiled NAS 3.0, a storage services product due out in the second quarter; Small Business Server, slated for release in the third quarter; Automated Deployment Services, part of its Dynamic Systems initiative for server provisioning, due out in the third quarter; Virtual Server, a technology for migrating applications to Windows Server 2003, expected to be launched in the fourth quarter; and support of Advanced Micro Devices' 64-bit processor in Windows Server 2003 Service Pack 1, due out at the end of this year.

David Thompson, corporate vice president of the Windows Server Product Group at Microsoft, said the company's goal is to provide continued innovation through software updates. "Innovation does not have to wait for major releases," Thompson said. He noted that Microsoft is spending a whopping $250 million to help drive Windows Server 2003 into the market.

World's First Internet Loo Planned

The world's first portable lavatory with internet access is due to be unveiled in Britain this summer.

The "iLoo" is being built by Microsoft Corp's internet arm MSN which aims to showcase its creation at Britain's summer music festivals.

"The internet is so much a part of everyday life now that surfing on the loo was the next natural step," said MSN marketing manager Tracy Blacher on Tuesday.

The converted lavatory will feature a wireless keyboard, plasma screen and quick internet access.

In 2001, MSN installed an internet-enabled park bench in Suffolk, eastern England.

EarthLink Gets $16 Million in Spam E-Mail Case

A federal judge awarded the Internet service provider Earthlink damages of $16.4 million Wednesday and a permanent injunction against a Buffalo, N.Y.-based sender of junk e-mail.

Howard Carmack, identified as the leader of a ring that used EarthLink services to send some 825 million pieces of unsolicited "spam" e-mail in the past year, is banned from sending spam - or helping others send it.

Neither Carmack nor an attorney representing him appeared at Wednesday's hearing before U.S. District Judge Thomas W. Thrash Jr.

Carmack did not respond to messages left on his cell phone and with his family.

EarthLink, the nation's third-largest Internet service provider, said Carmack and others kept the bulk e-mail flowing through Internet accounts opened with stolen identities and credit card numbers.

"The ruling gets these people off the Internet," said Pete Wellborn, EarthLink's lawyer. "Carmack is not going to be spamming anybody else."

Wednesday's award is not the largest that Earthlink has received against spammers, said Mary Youngblood, EarthLink's chief investigator. Last year the company was awarded $25 million in damages in a suit against another big junk e-mailer, Kahn C. Smith of Tennessee. Youngblood said the company hasn't collected that award.

But the monetary award, Wellborn said, is less of a victory than the injunction.

Among other Internet providers, America Online has also sued prolific spammers, winning a $6.9 million judgment in federal court in Virginia in December. In that case, AOL sued a now-defunct company based in Rockford, Ill., for sending pornographic spam.

AOL has won 25 spam-related lawsuits against more than 100 companies and individuals, spokesman Nicholas Graham said.

In October, Verizon Communications settled a spam lawsuit against Alan Ralsky and his Michigan-based company, Additional Benefits LLC, that prevented Ralsky from e-mailing Verizon Internet customers. The suit also required Ralsky to pay unspecified damages.

In the Earthlink case, Youngblood said Carmack used fake e-mail addresses, which he changed every couple days to keep investigators off his trail.

Carmack's spam included offers for herbal Viagra, weight-loss products and get-rich schemes, "one of which was 'hire me to spam for you,'" Youngblood said.

Junk e-mail is a rapidly growing problem. The anti-spam company Brightmail recorded 7 million instances of multiple junk messages being sent in April, a 61 percent increase from the same month a year ago.

A number of federal lawsuits similar to the one filed by EarthLink are pending.

Besides filing lawsuits, companies have developed mail filters to cut down on junk mail. But spammers have so far been able to find ways to get around

those measures.

MSN Adds New Antispam Tools

Microsoft has added new spam-fighting tools to its MSN Hotmail e-mail service, in a move that it says underscores its multitiered approach to eliminating spam.

The new tools, announced Thursday, come as e-mail service providers such as MSN and rivals Yahoo and America Online race to diminish users' spam fury, which has heightened in the face of a seemingly endless tide of unsolicited commercial e-mail messages.

Demonstrating the extent of the problem, Microsoft said Thursday that it blocks roughly 2.4 billion spam messages a day, or nearly 80 percent of e-mail messages that reach MSN servers, via layers of filtering and with the help of several spam-fighting tools.

A new tool that was introduced as part of an upgrade to the Hotmail service this week is a technology that prevents images in e-mail from loading unless the e-mail sender is listed in the receiver's contact list. Aside from clogging up users' networks, Microsoft said that many of the images in spam messages contain "Web beacons" which send a message back to the sender when the message is opened, allowing spammers to distinguish active e-mail accounts.

Users can still choose to scan the text and manually open the images if they wish.

Another recent antispam addition to the service is what Microsoft calls a Human Interactive Proof technology, which requires customers to interpret and manually retype a random sequence of letters and numbers in an attempt to keep spammers from setting up computer generated accounts using bots, scripts, and other automated methods.

The Redmond, Washington, company said that since the technology was introduced last December, it has seen a 20 percent decrease in online attempts to set up new e-mail accounts.

Microsoft made spam elimination a focus of its new MSN 8 service, which launched late last year. At the same time, AOL put spam at the top of its hit list while introducing AOL 8.

Microsoft and AOL aren't the only ones concentrating on canning spam, as other industry players have also moved to take spammers to court and lobby for tough penalties against sending spam.

In fact, EarthLink won a $16 million suit against a spammer Wednesday.

Additionally, major e-mail providers have recently banded together to discuss initiatives that would further reduce the flow of spam.

Will Spam Choke the Internet?

If last week’s FTC Spam Forum here could be reduced to a single sound byte, it is Commissioner Orson Swindle’s declaration that "e-mail is the killer app of the Internet, and spam is killing the killer app."

It was a sentiment that everyone who attended the three-day event could endorse. But agreeing how to find the killers and bring them to justice is proving much more elusive.

This remarkable gathering featured more than 400 attendees from nearly every side of the spam divide. It drew angry users whose in-boxes groan under the load of unwanted mail; representatives of huge ISPs that spend millions each year on blocking spam and suing spammers; legitimate e-marketers whose messages get blocked despite following all the rules; and bulk mailers tired of being blacklisted by ISPs and navigating 29 different state antispam laws.

The conference illustrates both how complex the issue of spam is and how hot a topic it has become. It drew media coverage from around the globe an politicians from across the Beltway, who flocked to the TV cameras like flies to honey.

In the forum’s first hour, Senators Conrad Burns (R-Montana) and Ron Wyden (D- Oregon) made unscheduled appearances at the dais, vowing to pass their CAN-SPAM Act in the current legislative session. The act provides penalties of up to $500,000 for individuals who knowingly send commercial e-mail containing false information or invalid opt-out mechanisms.

Representative Zoe Lofgren (D-California) proposed a bounty to be paid to anyone who turned in spammers that broke the law. The next day, Senator Charles Schumer (D- New York) discussed his plan to create a Do Not Spam registry containing the e-mail addresses of everyone who wished to opt out of unwanted solicitations.

But the forum’s attendees seemed far less confident than the politicians that such laws would do any good. While nearly everyone agrees that some form of federal legislation is necessary, most reacted to these proposals with undisguised disgust.

For one thing, such laws may preempt stronger state statutes and make it tougher to prosecute spammers. And by defining spam narrowly in terms of fraud, they could legitimize all other forms of unsolicited bulk mail - essentially making your in-box fair game to anyone who labels their mail properly, doesn’t falsify information, and provides an opt-out mechanism.

The only group on any panel that favored the CAN-SPAM Act was the Direct Marketing Association, whose members have a significant interest in preserving the right to send unsolicited commercial e-mail.

Lofgren’s proposal received tepid support - antispam activists, who do this kind of bounty hunting as a hobby, licked their chops at the prospect. But many other attendees feel any laws would be ignored by spammers, who could continue to operate with impunity offshore.

Instead, most spam opponents favor laws that provide a private right of action, enabling them to sue a spammer and collect damages, as AOL and Earthlink have done.

"Even without a spam law, we’ve got our guns loaded with a dozen bullets, any one of which would get the spammer," says attorney Pete Wellborn. He won a $25 million judgment on behalf of Earthlink in a spam suit last July.

Yet such suits are costly to pursue and relatively rare.

Technologists pointed to improvements in spam filtering and ambitious plans to separate ’trusted senders’ from junk purveyors. These schemes face a long uphill road to broad deployment, if they’re used at all.

Short of legislation requiring all commercial e-mailers to obtain the permission of the recipient before sending mail - unlikely, given the powerful DMA’s long-standing opposition to such schemes - a quick fix is not likely. Yet spam and the frustration it causes grow exponentially worse each day.

"Will somebody please come up with a way to give consumers the power to say ’no’?’ pleaded Swindle. Camera shutters clicked. The audience cheered. And, somewhere, a spammer just smiled.

Spam E-Mail Problem Worse Than Imagined

The volume of junk e-mail has reached a critical threshold that requires swift action to protect the Internet correspondence millions of people take for granted, regulators said Friday at the end of a three-day forum on "spam."

"Things are worse than we imagined," said Eileen Harrington, the Federal Trade Commission’s director of marketing practices. "There is consensus that the problem has reached a tipping point. If there are not immediate improvements implemented across the board by technologists, service providers and perhaps lawmakers, e-mail is at risk of being run into the ground."

Harrington said that was the impression left by the dozens of technology experts, government officials, industry executives and lawyers who flocked to Washington to discuss the problem of unwanted commercial e-mail and what to do about it.

In March, 45 percent of all e-mail sent was spam, according to Brightmail, the San Francisco-based anti-spam company. That’s up from 16 percent in January 2002.

Most of the panelists at the FTC forum on Friday agreed that a strong federal anti-spam law is needed and would be better than the mix of local laws now in 29 states.

Steve Richter, an attorney with the E-mail Marketing Association, said the current patchwork of laws is confusing and harmful. He gave the example of a Washington state resident who receives spam from New York relayed through a computer in Nevada.

"What law can you tell either of the parties - the sender or the recipient - to follow?" he said.

Virginia enacted the nation’s harshest anti-spam law Tuesday, giving authorities the power to seize assets earned from sending bulk unsolicited e-mail pitches while imposing up to five years in prison.

Rep. Zoe Lofgren, D-Calif., said this week she would seek federal legislation offering rewards for individuals who help track down spammers.

Sen. Charles Schumer, D-N.Y., proposed a national "do-not-spam" registry similar to an FTC service that is to begin blocking unwanted telemarketing calls this fall.

A pending anti-spam bill proposed by Sens. Conrad Burns, R-Mont., and Ron Wyden, D-Ore., would require spam to have valid return addresses.

Some were skeptical that the federal proposals would do the job.

"New laws that are unenforceable for myriad reasons or that are overtaken by the advances of technology have the potential to do more harm than good," FTC commissioner Orson Swindle said. "No single law, no single new technology, no new initiative, no new meetings are going to solve this problem alone."

John Patrick, chairman of the industry-supported Global Internet Project, said any U.S. law would do little to stop spam from other countries and the only solution is blocking it with new technology.

Earlier this week, AOL, Yahoo! and Microsoft announced a joint initiative to combat spam through techniques such as identifying and restricting messages with deceptive headers.

Persistent spammers have found ways to dodge similar obstacles.

Harrington said the automated tools spammers use to "harvest" e-mail addresses are "far more efficient and effective than we knew."

"Spammers are provided with an endless menu of new and fresh e-mail addresses to send to," she said. "That accounts for a good deal of the exponential increase in volume."

In 2001, the FTC received 10,000 junk e-mails each day forwarded by complaining consumers. The agency now receives 130,000 messages daily.

Other topics during the forum included the potential for spam to migrate to the screens of cell phones and the effect of spam in other countries.

Motohiro Tsuchiya, a communications professor with the International University of Japan, said Friday that about 80 percent of spam in Japan comes from outside the country and most of it is in English.

"We are now importing more spam from the United States," he joked. "We are actually learning what American culture is through spam."

Idiots Who Buy Stuff Off Spam...

Who is buying stuff from spammers?

This is what I want to know. Actually, this is what I want everyone to know so we can hunt down these people and give them enormous wedgies.

For they are ultimately responsible for this relentless spam, which is becoming the kind of biblical scourge Charlton Heston would’ve directed at Yul Brynner, if e-mail had been around when God sent down the Ten Commandments to the Paramount studios.

Fact is, spammers wouldn’t send out junk e-mail if nobody - absolutely nobody - ever clicked through to buy anything.

This is what the anti-spam crowd isn’t saying. The politicians considering anti-spam legislation, the Federal Trade Commission officials looking at regulations, the companies scrambling to sell spam-killing technology - all of them are aiming at the spam proliferators. Just last week, Virginia became the 27th state to pass anti-spam laws. The attitude is: Prosecute these spammers! Punish them! Defeat them!

Don’t get me wrong - I’m all for it. I say we declare a "war on spamorism" and send the worst spammers to Guantanamo Bay to mingle indefinitely with the Taliban.

But to take such punitive action without attacking the other end - the spam clickers - is like going after the Colombian drug lords without trying to curtail drug use, or suing McDonald’s because it makes fatty food when the reason it makes fatty food is that billions of people buy it.

To be effective, this has to be a two-pronged attack. People have to be told: Never open spam, and if you do, never respond or click through to the Web site it’s luring you to - and if you go that far, never buy anything.

Spammers only send out spam because it is successful. They send oceans of it because e-mail costs almost nothing, and if one person in a million responds, that’s good enough.

The e-mail pitches don’t have to be well aimed or well done, which means any goofball can do it. This is proved, for instance, by the outfit currently sending spam about an IQ test under the header, "From: Albert Enistine." My guess is that Albert Enistine is the guy who came up with the theory of revalitaty.

Who could possibly be buying from spammers? You might be thinking: "Sure, my boss acts like a blowhard to compensate for his inadequate manliness, but he can’t be buying those enhancement devices, can he?"

Well, he can. The Direct Marketing Association (DMA), whose members include bulk e-mailers, said last week that 37% of consumers it surveyed have bought something as a result of receiving e-mail.

Of course, those numbers might be as objective as the battle reports from Saddam’s information minister, but the point is on target: More than a few consumers are supporting spam.

And it’s not just the feebleminded or ignorant. It’s people who should know better. "Lord help me, I actually bought something as a result of spam," David Rosen of New York consulting firm Walek & Associates writes in an e-mail. "The perfect pasta pot. I’ve seen it on TV, gotten e-mail spam on it and finally saw it at the New York Auto Show last week and bought it! The pot works, but I HATE SPAM."

Well, duh.

So the spam grows and grows, filling our in-baskets the way Yao Ming would fill a Mini Cooper. One survey by Public Opinion Strategies says spam is up 21% since the first of the year. Deleting the overnight buildup has become a morning necessity, like shaving. The stuff gunks up corporate

e-mail systems.

"If spam gets any worse, there will be an overall problem that might threaten everyone’s benefiting from e-mail, including spammers as a group," says Larry Downes, author of business book The Strategy Machine.

Possible solutions pop up everywhere. Companies such as Surf Control, IronPort Systems and MailWasher - the last based in New Zealand, which gives you an idea of the worldwide scope of the problem - make software that helps block spam. Tech •‹ber-lawyer Lawrence Lessig is talking up the idea of the government offering bounties to citizens who turn in deceptive spammers. IBM scientist Adam Emery is working on software that would make a spammer pay you to interrupt you with a message.

But none of that will stop spam. As long as there is money to be made, spammers will work to find their way around software blocks and skirt bounty hunters, regulators and law enforcement. In that sense, spam is like running water - block it one place, and it will cut a new path somewhere else.

There’s also a complication: defining spam. It’s like defining tasty food - one person’s perfect squid sushi is another’s garden hose on rice. We can mostly agree that scam letters from fictional relatives of deposed Nigerian officials are spam.

But after that, it can get tricky. Like, I just got a PR pitch titled "Farm safety not just for farmers." Legitimate as it might be for someone on the hay-bailer beat, to me it’s spam. Those discrepancies make it harder for software or regulators to block spam.

In the end, there might be only one way for us - the people - to take back our electronic lives. It’s a Gandhi-like approach of passive resistance. Ignore spam. Give it no sustenance. Deprive it of its very reason for being. If we all remain strong and act in concert, spam will wither and die.

At least we can hope so.

Don’t Call Me Spam!

With anti-spam sentiment reaching a fever pitch, some legitimate marketing campaigns are being incorrectly identified and blocked. It is becoming more challenging than ever for companies that operate "by the book" to reach their intended targets.

"Solving the spam problem is critical," said Peter Mesnik, president and CTO of e-mail marketing-software company iMakeNews. "But there is also a legitimate need for commerce to occur over e-mail. It’s a very efficient medium, and commerce will always flow through the most efficient channel."

There is a difference between spam - unsolicited and unwanted material spent by e-mail - and legitimate e-mail marketing. "There’s some obvious spam - the guy in Nigeria that wants to give you a million dollars," Mesnik told CRMDaily.com. On the other end of the spectrum is what he calls "informative relationship marketing," which includes subscription newsletters and legitimate company-to-customer communications like product

upgrade announcements or recall notices.

But many law-abiding users of e-mail are finding that spam is clogging the channel - and the problem keeps getting worse. "It is getting way, way out of control," said Art Schoeller, senior analyst at the Yankee Group. "Because there is so much spam out there, you may try to run a legitimate marketing campaign and find you're being screened out by the ISPs. You may design this really great e-mail with all kinds of rich content, and it doesn't get through because the ISP's system looks at it, sees the rich content and thinks that it's porn."

Between spam and clearly legitimate and necessary e-mail applications is a large gray area, and that, Mesnik says, is mostly where the problem lies.

"There does seem to be a need for some legislation to cut down on the most egregious cases - the real spam," Mesnik said. "But anti-spam legislation could hurt legitimate e-mail marketers if it creates a feeding frenzy of lawyers and lawsuits that bury [marketers] with fights over ambiguities" about what is spam and what is not.

Legislation aside, users are incredibly wary of spam these days. "Everybody has been trained not to open e-mail from unknown sources," notes Hal Sirkin, senior vice president at Boston Consulting Group.

As a result, a company's e-mail is not even likely to get through unless it has an existing relationship with a customer. "It's very hard to start a customer relationship with e-mail, but once that relationship exists, e-mail is a very efficient way to maintain the relationship," Sirkin said.

Companies that want to continue to take advantage of the low-cost e-mail channel to communicate with customers need to take care to avoid the perception of spamming. One way to do that is to be sure that e-mail communications provide useful and relevant information to customers or potential customers. In return, Mesnik says, e-mail can provide a wealth of information about customers, their interests and their buying patterns.

"You need to provide information that's expected and wanted by customers," Mesnik suggests. "Then if spam filters take it out, customers will speak up to their ISPs to get it restored. That's one of the key solutions that marketers can employ today."

Mesnik's company, iMakeNews, provides software to help marketers create electronic newsletters, including tools that enable dynamic personalization and customization of the information. It also allows marketers to track which information is read by users, providing both tactical insights (what items to run in the next newsletter) and strategic ones (what kinds of products interest readers most).

Of course, responsible e-mail marketing starts by getting the customer's permission - at least tacitly - to send e-mail. Recipients must always be given the option of electing not to receive further e-mails, and those requests should be honored immediately. "It always frosts me when a marketer tells me it's going to take 48 hours for them to process my request to be removed from their e-mail list," says Schoeller. "Why should [it] take 48 hours? This ought to be automated and immediate."

Once you have established a mailing list of customers willing to receive your information, a few precautions can help keep the list viable. Mesnik says one common mistake is pushing too much information. "Sometimes people go overboard and send 25 or 30 articles in a newsletter" or use articles

that are too long. "You have to be careful not to oversaturate the audience."

He also cautions against poisoning the well by using an e-newsletter list to send other types of content. "We had one sports marketer that saw a sudden surge in unsubscribe," he recalled. "Turns out they had started using their newsletter list to send purely promotional items," which was turning people off. The same information could have been included in a soft-sell form in a newsletter, he suggests.

Selling your e-mail list also can backfire, Sirkin said. "If people figure out you're selling their name to someone else, they'll never give you information again." Instead, provide click-through links to business partners that may have products or services of interest to your customers.

Legitimate marketers should work collaboratively with ISPs to understand the criteria they are using to filter out spam, Schoeller suggests. He recommends industry groups like the Direct Marketing Association (DMA) and the Association for Interactive Marketing (AIM) as focal points for this kind of industry cooperation.

"E-mail is a delicate medium," Mesnik said. "People are sensitive about how much e-mail they're getting," and it is easy for them to delete material without reading it.

"Spam is the most dangerous and critical problem faced by e-mail marketers."

Users Overwhelmingly Favor Anti-Spam Legislation

Internet users overwhelmingly favor anti-spam legislation currently pending in Congress, according to poll results from Web and e-mail filtering vendor SurfControl, released this week.

Respondents also said that the number of spam messages received weekly has increased 21 percent since January.

The survey also sought to map out the Internet community's definition of spam. More than half of respondents, or 54 percent, said unsolicited mass e-mail from a company the recipient done business with in the past is not spam.

Unsolicited mass e-mail that is deceptive in its subject line was categorized as spam by 93 percent of respondents.

Unsolicited mass e-mail, even if it comes from a legitimate or well-branded business, was categorized as spam by 82 percent of respondents.

Even unsolicited mass e-mail on subjects or offers that interest the receiver was categorized as spam by 78 percent of respondents.

"The definition of spam is black and white for people working in offices across the country," said Susan Getgood a senior vice president at SurfControl, who commissioned the survey. "E-mail from commercial strangers is spam. E-mail from companies you have done business with in the past is not," she said in a statement.

The survey was conducted for SurfControl by Public Opinion Strategies, a political and public affairs research firm.

An overwhelming majority of business users, 86 percent, say they favor legislation currently pending in Congress that would outlaw spam that hides the identity of the sender or misleads the recipient about the contents of the e-mail. The bill, S-877 CAN-SPAM Act of 2003, was introduced last month by Sens. Conrad Burns, R-Mont., and Ron Wyden, D-Ore.

Some 85 percent of respondents say they would support their company using technology to control spam.

Tree-Saving Electronic Paper Comes a Step Closer

Electronic paper, which promises to change the face of publishing and save forests, came closer to reality on Wednesday as scientists revealed a super-thin, flexible electronic-ink display screen.

Just 0.012 inch thick, the device developed by researchers at E Ink Corporation in Cambridge, Massachusetts, can be flexed without distorting the type and paves the way for electronic newspapers, wearable computer screens and smart identity cards.

"It’s the closest thing demonstrated today to electronic paper," Yu Chen, an electrical engineer at E Ink and a visiting scientist at Princeton University in New Jersey, told Reuters.

When it is fully developed e-paper will be able to display black and white and color text using wireless technology.

Buying the daily newspaper will no longer be necessary because with e-paper it will be updated wirelessly or through the Internet.

"In the current form you can already receive images and read books through these displays screens," Chen said but he added the display was still too slow for a video display because of the switching speed of the electronic ink.

The display consists of two components. The front part switches according to electronic signals and the back component is a circuit made of transistors that control each individual pixel that composes the display.

Each pixel needs a circuit, made of transistors, behind it to switch it. In order to make electronic paper the transistors have to be made on a very thin and flexible substrate.

"In our case it is a very thin stainless steel foil. You need to put a layer of electronic circuits on that foil," Chen said.

Chen, who reported the research in the science journal Nature, said the size can vary from a business card to a computer screen. The current device is too thick to be folded in half but Chen and his team are working on a thinner a version.

"Our work demonstrated that you can make high-quality electronic circuits on very thin and flexible substrates," he added.

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